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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,258	09/25/2003	Robert O. Williams	10071-037-999	3229
20582 7590 01/25/2010				
JONES DAY				
222 East 41st Street				
New York, NY 10017-6702				
EXAMINER				
ROYDS, LESLIE A				
ART UNIT		PAPER NUMBER		
1614				
MAIL DATE		DELIVERY MODE		
01/25/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/669,258	9/25/2003	WILLIAMS ET AL.	10071-037-999

**EXAMINER**

Leslie A. Royds

ART UNIT	PAPER
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1614

20100119

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents****NOTICE OF NON-RESPONSIVE AMENDMENT**

Applicant's amendments and remarks filed September 30, 2009 have been received and entered into the present application. However, Applicant's amendments to the claims fail to comply with the requirements of 37 C.F.R. 1.121[c].

37 C.F.R. 1.121[c] states: "Amendments to a claim must be made by rewriting the entire claim with all changes (e.g., additions and deletions) as indicated in this subsection, except when the claim is being canceled. Each amendment document that includes a change to an existing claim, cancellation of an existing claim or addition of a new claim, must include a complete listing of all claims ever presented, including the text of all pending and withdrawn claims, in the application. The claim listing, including the text of the claims, in the amendment document will serve to replace all prior versions of the claims, in the application. In the claim listing, the status of every claim must be indicated after its claim number by using one of the following identifiers in a parenthetical expression: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New), and (Not entered)."

Applicant indicates that instant claims 1-23, 28 and 40-57 are "Withdrawn", but fails to present the text of each of these withdrawn claims in the claim listing filed September 30, 2009. Pursuant to the requirements of 37 C.F.R. 1.121[c], Applicant is required to include the text of all pending and withdrawn claims in the application. Applicant's failure to do so in the listing filed September 30, 2009 is non-compliant with the requirements of 37 C.F.R. 1.121[c]. In addition, such a failure to present the text of these claims further complicates the situation because it is unclear if this is actually intended to be a cancellation of such claims.

Accordingly, Applicant is required, in reply to this notice, to submit a clear and complete listing of all claims ever presented and to rectify the issue(s) noted supra with regard to the claims that are apparently withdrawn from consideration. Failure to comply with the instant instructions will again render the reply NON-COMPLIANT.

Since the above-mentioned response appears to be a bona fide attempt to reply, Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction, as well as a proper response to the previous Office Action, in order to avoid abandonment. Extensions of this time period under 37 C.F.R. 1.136(a) are available.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Leslie A. Royds, whose telephone number is (571)-272-6096. The Examiner can normally be reached Monday through Friday, 9:00 AM to 5:30 PM. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Ardin H. Marschel, can be reached on (571)-272-0718. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

